

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WILLIAM D. BURKETT,

Petitioner,

v.

MAGGIE MILLER-STOUT,

Respondent.


Case No. C05-5612FDB

ORDER ADOPTING REPORT
AND RECOMMENDATION

The Court having reviewed the Report and Recommendation of the Hon. J. Kelley Arnold United States Magistrate Judge, the remaining record, and there being no objections filed, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The petition is **DISMISSED WITH PREJUDICE** for the reasons set forth in the Report and Recommendation. Petitioner admits he cannot file a habeas petition as he is time barred under AEDPA.
- (3) The clerk is directed to send copies of this Order to Petitioner, counsel for Respondent, and to the Hon. J. Kelley Arnold.

DATED this 22nd day of November 2005.


FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE